

UNITED STATES DISTRICT COURT
for the
District of New Mexico

FILED
United States District Court
Albuquerque, New Mexico
Mitchell R. Elfers
Clerk of Court

United States of America
v.

Robert Santino McAfee
(year of birth 1973)

Case No. **23 MJ 1194**

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of JULY 26, 2023 in the county of BERNALILLO in the

District of NEW MEXICO, the defendant(s) violated:

Code Section

Offense Description

Title 18, USC, Sections 2119

Motor Vehicles (Carjacking)

This criminal complaint is based on these facts:

See Attached

☒ Continued on the attached sheet.



Complainant's signature

U. S. Postal Inspector, Kevin D. Power

Printed name and title

Telephonically sworn and electronically signed.

Date: July 28, 2023



Judge's signature

City and state: Albuquerque, New Mexico

Kirtan Khalsa, U. S. Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

United States of America,
Plaintiff,

vs.

Robert Santino McAfee
Defendant.

AFFIDAVIT FOR CRIMINAL COMPLAINT

I, Kevin D. Power, having been duly sworn, do depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a United States Postal Inspector with the United States Postal Inspection Service and have been so employed since April of 2022. I have completed a sixteen-week basic training course in Potomac, Maryland, which included training in the investigation of crimes affecting United States Postal Service (USPS) employees and its customers. I am currently assigned to the Phoenix Division, Albuquerque New Mexico Domicile. Prior to my appointment as a U.S. Postal Inspector, I worked in a variety of security related roles as a contractor to the United States Department of Energy at Los Alamos National Laboratory for 14 years. I also served as a Reconnaissance Marine in the Marine Corps Reserve for 18 years. During my career as a federal law enforcement officer, I have investigated robberies of USPS employees, assaults and threats on USPS employees, mail theft, and burglaries of Postal facilities. I have conducted investigations of dangerous mail and prohibited mail such as narcotics in the U.S. mail system.

2. This Affidavit is made for the limited purpose of establishing probable cause that Robert Santino McAfee (McAfee) committed the following criminal offense: 18 U.S.C. § 2119: Motor Vehicles (Carjacking).

3. My knowledge of the facts alleged in this Affidavit arises from my training and experience, my personal observations, my participation in the investigation described below, information developed by law enforcement agents, my discussions with witnesses, and my review of documents and video. This Affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all my knowledge about this matter.

DETAILS OF INVESTIGATION

CARJACKING OF LETTER CARRIER AT 2229 EL NAVAJO RD SW

4. On July 26, 2023, U.S. Postal Inspectors from the Albuquerque Domicile were notified by the Bernalillo County Sheriff's Office (BCSO) that a USPS letter carrier had been the victim of a carjacking and the USPS Long-Life Vehicle (LLV) was stolen. The incident occurred in the vicinity of 2229 El Navajo Rd. SW Albuquerque NM 87105 at approximately 2:30 PM. The mail carrier, Jane Doe (Doe), was reportedly uninjured but the LLV, Postal Scanner, U.S. Mail, her personal cell phone, and credit cards were stolen.

5. Utilizing Postal databases, Inspectors initially responded to where the postal scanner for Doe's route, Route 105 was pinging, leading them to the Crescent Ridge Apartment Homes at 8200 Bridge Blvd. SW, Albuquerque, NM 87121. The LLV was located in the parking lot of the Crescent Ridge Apartment Complex at approximately 3:00 PM with the scanner and mail inside but no keys or cell phone. Bernalillo County Sheriff's Office (BCSO) also responded and were on scene.

6. In connection with the carjacking, Sheriff's Deputies advised Inspectors that a vehicle, a tan Toyota Corolla, had crashed at a high rate of speed at the intersection of Foothill Dr. SW and Mule Farm Pl. SW, and the occupant had fled the scene on foot, ran through the neighborhood, came upon the LLV, forced Doe out of the LLV, then fled the scene in the LLV.

BCSO CSI arrived and processed the LLV, taking DNA from the steering wheel, scanner, and other commonly used areas inside the vehicle.

7. Postal Inspectors C. Castro and B. Whip left the Crescent Ridge Apartment Complex to respond to the scene of the original incident. Once there, the Inspectors met with Doe and conducted a victim interview and obtained a written statement. Doe stated between 2:00 and 2:30 PM she had delivered mail at 2229 El Navajo Rd. SW, Albuquerque, NM 87105 and was sitting inside her mail truck when she noticed a male individual appear from over a ditch near Foothill Dr. SW and El Navajo St. SW. Doe stated the suspect began walking towards her mail truck but appeared to be stumbling, distressed, and had blood on his face/forehead. The suspect approached her mail truck and told her his friend had been killed. Doe stated the suspect pushed his way into the mail truck behind her and told her to drive, then proceeded to shove her out of the mail truck. The suspect drove off with the mail truck that contained a USPS scanner, mail, and Doe's personal cell phone and credit cards. Doe described the suspect as a Hispanic male, between 30-40 years of age, thick body build, multiple tattoos on his chest and face, a shaved head and wearing tan shorts/pants and no shirt.

8. At approximately 2:40 PM Doe was able to contact the resident nearby who loaned her their cell phone to call 911. Doe called 911 and advised she had her mail truck stolen from her while she was working. Doe and the residents saw local law enforcement was on Foothill Dr. SW and Mule Farm Pl. SW, Albuquerque NM 87105 and contacted them. At that time she was informed about a vehicle accident that had occurred and was possibly related to her stolen mail truck. Furthermore, Doe stated she had previously seen the suspect swerve on La Fonda Dr. SW, Albuquerque, NM 87105, which was a street over from where the vehicle accident had occurred.

9. On the scene of the recovered LLV, BCSO and Inspectors attempted a knock and talk at an apartment near the LLV that had cameras. Further investigation, and interview of the Property Manager of the Crescent Ridge Apartment revealed that an individual named Robert Santino-

McAfee (McAfee), who matched the description of the suspect provided by Doe, possibly lived in the apartment in question. During the course of the investigation, law enforcement learned that McAfee was residing with friends at the apartment after recently being released from prison. McAfee allegedly stole a car, a tan Toyota Corolla, from one of the residents of the apartment earlier that morning. Inspectors learned that McAfee was last seen wearing light gray shorts with no shirt, and had tattoos on his face, chest, back, and arms, as well as multiple stab wound scars on his stomach. Inspectors later learned that the stolen vehicle matched the vehicle involved in the vehicle accident immediately preceding the carjacking. BCSO Deputies and Postal Inspectors began further identifying McAfee and obtained photos of him as well as criminal history. McAfee was observed to have symmetrical pawprint tattoos below the outer corner of each of his eyes, and an arrowhead on his chin.

10. On the scene of the original incident, a BCSO deputy was provided with a photo of McAfee and showed Doe the photograph. Doe recalled the individual in the photograph as the suspect that stole the mail truck. Doe specifically recognized the tattoos on his face.

11. At the scene of the recovered LLV, Inspectors and BCSO were unable to establish proof of McAfee residing or hiding inside the apartment. They also learned that Doe's cellular phone, which was taken with the vehicle, was now pinging in the area of Balearic Ave. SW. Inspectors searched the area and were met with negative results. Doe continued to give Inspectors updates on the phone's location, which changed locations throughout the evening. All locations were in the same general geographic area in southwest Albuquerque.

12. Inspectors were driving through the intersection of Central Ave. SW and 86th St. SW past a bus stop and observed a male subject sitting at the bus stop who appeared to be McAfee. Inspectors made a U-turn, approached the subject and detained him without incident. McAfee confirmed his name and he replied with "Robert Santino McAfee." Additionally, Inspectors noted

stab scars from stab wounds on his stomach, as well as the pawprint tattoos under his eyes and the arrowhead on his chin that matched his booking photos. Inspectors confirmed via the National Law Enforcement Communications Center (NLECC) that McAfee had an active arrest warrant from the Bernalillo County Sheriff's Office for aggravated assault with a weapon. While on the scene, McAfee requested medical attention. Inspectors immediately called for EMS. McAfee was transported to the Loveless Downtown hospital by Albuquerque Ambulance, for injuries sustained in the accident earlier that morning. Inspectors escorted McAfee to the hospital and conducted an interview.

INTERVIEW OF ROBERT SANTINO MCAFEE

13. At approximately 9:05 PM, Inspectors B. Whip and I interviewed McAfee in the hospital waiting area. McAfee was read his Miranda rights and agreed to speak with Inspectors regarding the incident. He stated he didn't remember how he got the car that morning, but he received bad news that day, that a friend from prison had passed away. He was upset and had been having suicidal thoughts. He said he initially wanted to talk to his mother, who resides at 2111 La Fonda Ct. SW, but decided not to and left the area by her house at a high rate of speed. He stated he was probably going 80 miles per hour and he "had it gunned down to the metal" when he crashed. He was not sure if he was knocked unconscious but thinks that he was for some period of time. He stated he heard the sirens and saw police and realized "he needed to move." He said he saw the mail truck and told the letter carrier "Get out, I'm taking this motherfucker." McAfee stated he drove away from the scene as fast as he could. He said there was police everywhere, and he "just had to get the hell outta there." Although McAfee did not have a knife on his person when taken into custody, he stated in the interview that he "always keeps a knife, just in case" and that he started the car that he crashed with a knife. He did not dispute that the vehicle he initially stole was a Toyota, consistent with the He stated he drove

straight to the Crescent Ridge Apartment in the Postal vehicle and was there when law enforcement began knocking on the door outside. He said he left the apartment on foot shortly before being apprehended on Central Ave.

CONCLUSION

14. Based on the above information, I submit there is probable cause to believe Robert Santino McAfee committed violations of 18 U.S.C. § 2119: Motor Vehicles (Carjacking).

15. This affidavit has been reviewed and approved by Assistant United States Attorney Sarah Mease.



Kevin D. Power
United States Postal Inspector

Electronically signed and telephonically sworn
on this 28th day of July 2023:



Honorable Kirtan Khalsa
UNITED STATES MAGISTRATE JUDGE